

MEMO ENDORSEDUNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**SCANNED**

SYNERGETICS USA, INC.,

)

)

Plaintiff

) **NOTICE OF MOTION TO ADMIT**

v.

) **DEREK Y. BRANDT AS COUNSEL**ALCON LABORATORIES, INC. and ALCON,
INC.,

)

)

Defendants.

)

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) 1:08-cv-03669-DLC

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PLEASE TAKE NOTICE, that upon the annexed affidavit of Derek Y.

Brandt sworn to May 16, 2008 and the certificate of good standing annexed thereto,
the undersigned will move this court before the Honorable Denise L. Cote at the
United States Courthouse for the Southern District of New York, Courtroom 11B at
500 Pearl Street, New York, New York for an Order pursuant to Local Civil Rule
1.3(c) granting Derek Y. Brandt permission to appear as attorney of record for the
plaintiff, *pro hac vice*. In support of the motion, the undersigned states that:

1. I am a member of Hanly Conroy Bierstein & Sheridan LLP, 112 Madison Avenue, New York, NY, co-counsel for plaintiffs, am admitted to practice and am a member in good standing of the Bar of this Court.
2. Derek Y. Brandt is a lawyer with the firm SimmonsCooper, LLC, located at 707 Berkshire Boulevard, P.O. Box 521, East Alton, Illinois 62024.

3. Mr. Brandt is a member in good standing of the Bar of the State of Illinois, the United States District Court for the Southern District of Illinois, the United States District Court for the Northern District of Illinois and the United States Court of Appeals, 3rd Circuit.

4. An affidavit from the attorney accompanies this application and is attached. A certificate of good standing from the jurisdiction where he is admitted, is issued within the last thirty days as required by Local Rule 1.3(c), is also attached.

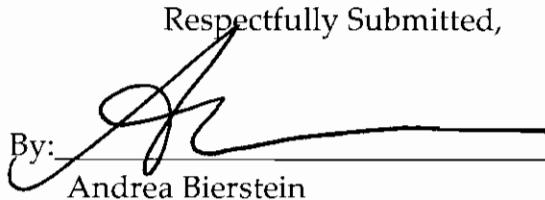
5. I respectfully request that given the routine nature of this application, this Court permit this application without an accompanying memorandum of law.

WHEREFORE, I respectfully request that the application for admission of Derek Y. Brandt, attorney for the plaintiff, *pro hac vice*, be granted.

Dated: New York, New York
May 21, 2008

Respectfully Submitted,

By:


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Attorneys for Plaintiffs